

**NORTH CAROLINA DIVISION OF  
AIR QUALITY**

## Application Review

**Issue Date:** **TBD**

**Region:** Fayetteville Regional Office  
**County:** Robeson  
**NC Facility ID:** 7800203  
**Inspector's Name:** Evangelyn Lowery-Jacobs  
**Date of Last Inspection:** 12/11/2019  
**Compliance Code:** 3 / Compliance - inspection

<b>Facility Data</b>  <b>Applicant (Facility's Name):</b> Silgan Containers  <b>Facility Address:</b> Silgan Containers 2120 NC 71 Highway North, Unit A Maxton, NC 28364  <b>SIC:</b> 3411 / Metal Cans <b>NAICS:</b> 332431 / Metal Can Manufacturing  <b>Facility Classification: Before:</b> Title V <b>After:</b> Title V <b>Fee Classification: Before:</b> Title V <b>After:</b> Title V				<b>Permit Applicability (this application only)</b>  <b>SIP:</b> 02D: .0515, .0516, .0521, .1806 <b>NSPS:</b> n/a <b>NESHAP:</b> n/a <b>PSD:</b> n/a <b>PSD Avoidance:</b> 02Q .0317 (VOC) <b>NC Toxics:</b> 02D .1100 <b>112(r):</b> n/a <b>Other:</b> MACT avoidance			
<b>Contact Data</b>				<b>Application Data</b>			
<b>Facility Contact</b>  Christopher Britt Production Planner (910) 844-4141 2120 NC 71 Highway North, Unit A Maxton, NC 28364	<b>Authorized Contact</b>  Phil Heatwole Plant Manager (910) 844-4141 2120 NC 71 Highway North, Unit A Maxton, NC 28364	<b>Technical Contact</b>  Jonathan Kania Environmental Specialist (262) 569-5857 1190 Corporate Center Drive Oconomowoc, WI 53066	<b>Application Number:</b> 7800203.20A <b>Date Received:</b> 05/26/2020 <b>Application Type:</b> Renewal <b>Application Schedule:</b> TV-Renewal  <b>Existing Permit Data</b> <b>Existing Permit Number:</b> 08693/T07 <b>Existing Permit Issue Date:</b> 05/03/2016 <b>Existing Permit Expiration Date:</b> 04/30/2021				
<b>Total Actual emissions in TONS/YEAR:</b>							
CY	SO2	NOX	VOC	CO	PM10	Total HAP	Largest HAP
2018	0.0200	3.05	66.34	2.56	0.2500	3.32	2.45 [Xylene (mixed isomers)]
2017	0.0200	3.58	80.40	3.01	0.3000	3.68	2.76 [Xylene (mixed isomers)]
2016	0.0200	3.69	74.56	3.11	0.3100	3.38	1.46 [Glycol Ethers, Unlisted - Spec]
2015	0.0200	3.57	79.46	3.00	0.3000	3.21	2.03 [Glycol Ethers, Unlisted - Spec]
2014	0.0200	3.59	87.10	3.01	0.3100	3.87	2.47 [Glycol Ethers, Unlisted - Spec]
<b>Review Engineer:</b> Russell Braswell  <b>Review Engineer's Signature:</b> _____ <b>Date:</b> _____				<b>Comments / Recommendations:</b> <b>Issue</b> 08693/T08 <b>Permit Issue Date:</b> <b>TBD</b> <b>Permit Expiration Date:</b> <b>TBD+ 5 years</b>			

## 1. Purpose of Application:

Silgan Containers ("Silgan", "the facility") currently operates a factory in Robeson County under Title V air quality permit 08693T07 ("the existing permit"). The existing permit is set to expire on April 30, 2021. As required by General Condition K of the existing permit, Silgan has submitted this permit application in order to renew the existing permit. In addition, Silgan requested that six of the can-end press lines included with ES-002 be removed from the permit.

Because this application for permit renewal was received at least six<sup>1</sup> months before the expiration date, the existing permit will remain in effect, regardless of expiration date, until this application is completed.

In addition to the above, Silgan submitted a corrected Form A with this application. This form indicates the name on the Title V permit should be "Silgan Containers".

## 2. Facility Description:

This facility manufactures metal cans used for soup. According to the most recent inspection report, the activities at this facility are located next to Campbell Soup Supply Company ("Campbell", facility ID 7800159). The can manufacturing activities were previously owned by Campbell, but were split off into an independent company in 1999.

This facility operates 24 hours per day, 7 days per week during "soup season" (cooler weather) and Monday-Friday in spring and summer.

## 3. Application Chronology:

- May 26, 2020 Application received.
- June 10, 2020 An initial draft of the Title V permit and associated application review were sent to DAQ staff (Tom Anderson, Mark Cuilla, Evangelyn Lowery-Jacobs, Samir Parekh, Greg Reeves) and Silgan staff (Jonathan Kania, Phil Heatwole). For a summary of comments received, see Attachment 1.
- June 30, 2020 Silgan submitted an updated application Form A to correct the facility name on the original Form A.
- July 17, 2020 2<sup>nd</sup> draft to Silgan. This draft included corrections to the initial draft and also incorporated updated procedures for including emission testing results in the permit. No specific comments were received regarding the 2<sup>nd</sup> draft.
- XXXXX The Public Notice and EPA Review periods began.
- XXXXX Permit issued.

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<sup>1</sup> The submittal deadline in General Condition K is taken from 15A NCAC 02Q .0513(b). At the time the existing permit was issued, the deadline was nine months. This renewal application was submitted before the nine-month deadline as well.

#### 4. Title V Permit Modifications Following the Previous Permit Renewal:

The Title V permit was most recently renewed on May 3, 2016. The Title V permit has not been modified since that date.

#### 5. Changes to the Existing Title V Permit:

The following table summarizes the changes made to Air Quality Permit 08693T08: (update before final issuance)

Pages*	Section*	Description of Changes
Throughout	Throughout	<ul style="list-style-type: none"><li>Updated dates/permit numbers</li><li>Changed name on permit to "Silgan Containers" to reflect name on the application.</li><li>Fixed formatting.</li></ul>
3	Permitted Emission Sources	<ul style="list-style-type: none"><li>Removed six of the spray stations from ES-002 as requested in application.</li></ul>
n/a	2.2 A.1 (former)	<ul style="list-style-type: none"><li>Removed references to 02D .0958 because this rule no longer applies.</li></ul>
10	2.2 A.2.e	<ul style="list-style-type: none"><li>Changed testing condition to require a permit application when submitting new emission test results.</li></ul>
11	2.2 A.2.g	<ul style="list-style-type: none"><li>Noted the minimum operating temperature of the oxidizers during the most recent emission test.<ul style="list-style-type: none"><li>CD-001: 1,400 °F</li><li>CD-011: 1,500 °F</li></ul></li></ul>
12	2.2 A.2.i	<ul style="list-style-type: none"><li>Removed requirement to attach new emission test results to the Title V permit.</li></ul>
15	2.2 A.4	<ul style="list-style-type: none"><li>Added condition for 02D .1806.</li></ul>
16	3.	<ul style="list-style-type: none"><li>Updated General Conditions to version 5.4.</li></ul>

\* This refers to the current permit unless otherwise stated.

#### 6. Regulatory Overview and Rules Review:

Under the existing permit, Silgan is subject to the following State Implementation Plan ("SIP") rules:

- 15A NCAC 02D .0515 "Particulates from Miscellaneous Industrial Processes"
- 15A NCAC 02D .0516 "Sulfur Dioxide from Combustion Sources"
- 15A NCAC 02D .0521 "Control of Visible Emissions"
- 15A NCAC 02D .1100 "Control of Toxic Air Pollutants" [State enforceable only]
- 15A NCAC 02D .1806 "Control and Prohibition of Odorous Emissions" [State enforceable only]
- 15A NCAC 02Q .0317 "Avoidance Conditions" (Avoidance of PSD, avoidance of MACT)

Silgan's requirements under each rule that applies to this facility are discussed below. Silgan's applicability to various Federal programs (e.g. NSPS, MACT, PSD, 112(r), and CAM) is also discussed below.

a. 02D .0515 "Particulates from Miscellaneous Industrial Processes"

This rule limits particulate matter ("PM") emissions from emission sources that exhaust through a stack, vent, or outlet, and with no other specific PM emission limits. The PM limit is a formula based on the process rate of the specific source in question. Each emission source at this facility is subject to this rule.

For sources controlled by fabric filters, Silgan must perform annual inspections of the fabric filters and keep records of monitoring and maintenance. For all other sources, Silgan must keep operational records such that compliance with the PM emission limit can be demonstrated. Silgan must submit a semiannual report of the maintenance and monitoring activities.

Based on the most recent inspection report, Silgan appears to be in compliance with this rule. Continued compliance will be determined with subsequent inspections and reports.

b. 02D .0516 "Sulfur Dioxide Emissions from Combustion Sources"

This rule limits sulfur dioxide ("SO<sub>2</sub>") from fuel burning sources with no other specific SO<sub>2</sub> emission limits. This rule applies to each fuel burning source at this facility.

The only fuel burned at this facility is natural gas. Based on the emission factors published in US EPA's publication AP-42, this fuel is expected to comply with 02D .0516 by default. Therefore, the permit does not require any monitoring, recordkeeping, or reporting to comply with this rule. Silgan is expected to continue to comply with this rule.

c. 02D .0521 "Control of Visible Emissions"

This rule limits visible emissions ("VE") from emission sources with no other specific VE emission limit. For sources constructed after 1971, the opacity limit is 20% over any six-minute period, with the following exceptions: (1) No six-minute period exceeds 87 percent opacity; (2) No more than one six-minute period exceeds 20 percent opacity in any hour; and (3) No more than four six-minute periods exceed 20 percent opacity in any 24-hour period. Each of the emission sources at this facility is subject to this rule.

In order to demonstrate compliance, Silgan must perform daily observations of each oxidizer and monthly observations of other emission points. Records of the observations must be kept and reported twice per year.

Based on the most recent inspection report, Silgan appears to be in compliance with this rule. Continued compliance will be determined with subsequent inspections and reports.

d. 02D .1100 "Control of Toxic Air Pollutants" [State enforceable only]

This rule requires the facility to emit toxic air pollutants ("TAPs") such that the acceptable ambient limits ("AALs") listed in 02D .1104 are not exceeded.

In order to demonstrate compliance with the AALs, Silgan complies with the emission limit listed in the permit. These limits were determined by air dispersion modeling which was originally approved for the Campbell Soup Company before Silgan was split off from that facility (see Section 2 for details of this split). Since the original modeling was submitted, Silgan has not made any modifications that necessitated a new modeling demonstration.

In order to demonstrate compliance with the emission limit in the permit, Silgan must perform emission calculations and maintain operational records such that compliance can be determined.

Based on the most recent inspection report, Silgan appears to be in compliance with this rule. Continued compliance will be determined with subsequent inspections.

e. 02D .1806 "Control and Prohibition of Odorous Emissions"

This rule requires that facilities not cause or contribute to odor complaints outside of the facility's property boundary. In the event that DAQ receives substantive odor complaints, DAQ may require Silgan to make changes in order to address odorous emissions. Until such time, Silgan has no specific compliance requirements under this rule.

DAQ has not received any odor complaints regarding this facility. Comments from the Regional Office requested that a condition for this rule be added to the Title V permit. Continued compliance with this rule will be evaluated during complaint investigations (if any) and inspections.

f. 02Q .0317 "Avoidance Conditions"

Silgan has accepted enforceable limits to avoid applicability of 02D .0530 and 02D .1111 as allowed by 02Q .0317.

1. Avoidance of 02D .0530:

In order to avoid a full review under 02D .0530 and .0531 (a.k.a. "PSD"), Silgan has agreed to limit facility-wide VOC emissions to less than 250 tons per year.

In order to comply with the emission limit, Silgan operates two oxidizers and keeps records of actual VOC emissions. Silgan must perform an emission test of the oxidizers every 60 months in order to determine the capture and destruction efficiency of the oxidizers.

In order to claim emission reductions from the oxidizers, Silgan must monitor and maintain the oxidizer temperature. Silgan must keep records of operations, maintenance, and emission calculations. Silgan must submit a report of the recordkeeping activities twice per year.

Based on the most recent inspection report, Silgan appears to be in compliance with this rule. Continued compliance will be determined with subsequent inspections and reports.

2. Avoidance of 02D .1111 "Maximum Achievable Control Technology" and HAP-Major status:

In order to avoid being considered a major source of HAP (and thus avoid applicability of several rules under 40 CFR Part 63), Silgan has agreed to limit facility-wide HAP emissions to 10 tons per year of any individual HAP and 25 tons per year of all HAPs combined.

In order to comply with the emission limit, Silgan operates two oxidizers and keeps records of actual HAP emissions. In order to claim emission reductions from the oxidizers, Silgan must monitor and maintain the oxidizer minimum temperature. Silgan must keep records of operations, maintenance, and emission calculations. Silgan must submit a report of the recordkeeping activities twice per year.

Based on the most recent inspection report, Silgan appears to be in compliance with this rule. Continued compliance will be determined with subsequent inspections and reports.

g. Nonapplicable Rules:

Below is a summary of SIP and Federal rules that could potentially apply to this facility, but ultimately do not.

1. 02D .0530 "Prevention of Significant Deterioration" ("PSD"; 40 CFR Parts 52 and 70)

These rules incorporate the requirements of PSD and NSR into North Carolina's SIP.

The activities at this facility are not included in any of the 28 listed source categories in §51.166(b)(1)(i)(a). Therefore, this facility would be considered a Major Source if (among other criteria) actual emissions of any criteria pollutant were greater than 250 tons per year. Silgan does not have actual emissions greater than this threshold, and therefore is not a Major Source for PSD purposes.

Silgan has accepted an enforceable limit on facility-wide VOC emissions in order to avoid triggering requirements under PSD (see Section 6.f.1.). Therefore, 02D .0530 does not apply to this facility.

2. 02D .0614 "Compliance Assurance Monitoring" ("CAM"; 40 CFR Part 64)

This rule incorporates the requirements of 40 CFR Part 64 into North Carolina's SIP. CAM applies to individual emission sources based on the following criteria:

- a. The source is equipped with a control device,
- b. The source being controlled is subject to a non-exempt emission standard (defined by 02D .0614(b)(1)),
- c. The control device is being used to comply with the emission standard, and
- d. The source being controlled has potential emissions of the pollutant subject to the emission standard greater than major source thresholds.

The below table examines each control device at this facility for CAM applicability:

Source	Control Device	Emission Limit	Triggers CAM?	Notes
3-Piece can enameling (ID No. ES-001)	Oxidizer, controlling VOC and HAP	02D .1100	No	TAPs do not have a major source threshold.
		02Q .0317 (PSD Avoidance)	No	.0614(b)(1)(E)
		02Q .0317 (MACT Avoidance)	No	.0614(b)(1)(E)
3-Piece bodymaker lines (Five individual lines; ID Nos. ES-003 through 7)	Five fabric filters (one per line), controlling PM	02D .0515	No	Potential emissions from each source are less than the major source threshold.

Source	Control Device	Emission Limit	Triggers CAM?	Notes
2-Piece Line (ID Nos. ES-016 through 18)	Oxidizer, controlling VOC and HAP	02D .1100	No	TAPs do not have a major source threshold.
		02Q .0317 (PSD Avoidance)	No	.0614(b)(1)(E)
		02Q .0317 (MACT Avoidance)	No	.0614(b)(1)(E)

Therefore, CAM does not apply to this facility.

3. 02D .0900 "Volatile Organic Compounds" and 02D .1400 "Nitrogen Oxides" (a.k.a. "Reasonably Available Control Technology"; "RACT")

In general, RACT rules apply to areas currently considered as nonattainment for ozone (see 02D .0902(f) and 02D .1402(d)). Robeson County is not such an area. Therefore, no RACT rules apply to this facility.

The existing permit includes a specific condition for 02D .0958 "Work Practices for Sources of Volatile Organic Compounds". This rule no longer applies to this facility, and therefore this condition will be removed from the permit.

4. 02D .2100 "Risk Management Program" (a.k.a. "§112(r)", "Section 112(r) of the Clean Air Act")

This facility does not appear to store any materials above their respective thresholds in 40 CFR 68.130. Therefore, this facility is not required to submit a Risk Management Plan and has no specific requirements under 02D .2100. Note that other requirements under §112(r) (such as the General Duty Clause) may apply to this facility.

5. 40 CFR Part 60, Subpart WW "Beverage Can Surface Coating Industry"

This rule applies to facilities that perform beverage can coating and were constructed after November 26, 1980.

Per §60.491(a)(1), a "beverage can" specifically refers to containers for soft drinks or beer. Therefore, this rule does not apply to this facility.

6. 40 CFR Part 63, Subpart HHHHHH "Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources"

This rule applies to facilities that are Area Sources of HAP and perform spray coating of metal surfaces using HAPs targeted in §63.11180.

Based on the most recent Emission Inventory, the coatings used at this facility do not contain any of the targeted HAPs. Therefore, this rule does not apply to this facility.

## 7. Emissions Review

For a summary of actual emissions from this facility, see the table on the first page of this document. This permit renewal is not expected to impact potential emissions from the facility.

## 8. Compliance Status:

- a. This facility was most recently inspected by Evangelyn Lowery-Jacobs December 11, 2019. According to the inspection report, Silgan appeared to be in compliance with the Title V permit at that time.
- b. Since the previous Title V permit renewal, Silgan has not been issued any Notices of Violation.

## 9. Other Regulatory Concerns:

- a. No application fee is required for Title V permit renewals.
- b. No zoning determination is required for Title V permit renewals.
- c. No Professional Engineer's seal is required for Title V permit renewals.

## 10. Public Notice and EPA Review

A notice of the DRAFT Title V Permit shall be made pursuant to 15A NCAC 02Q .0521. The notice will provide for a 30-day comment period, with an opportunity for a public hearing. Consistent with 15A NCAC 02Q .0525, the EPA will have a concurrent 45-day review period. Copies of the public notice shall be sent to persons on the Title V mailing list and EPA. Pursuant to 15A NCAC 02Q .0522, a copy of each permit application, each proposed permit and each final permit shall be provided to EPA. Also, pursuant to 02Q .0522, a notice of the DRAFT Title V Permit shall be provided to each affected State at or before the time notice is provided to the public under 02Q .0521 above. South Carolina is an affected State, and Forsyth and Mecklenburg Counties are affected local programs.

- The Public Notice and EPA Review periods began on XXXXXXXX
- The Public Notice period ended on XXXXXXXX
- The EPA Review period ended on XXXXXXXX

## 11. Recommendations

Issue permit 08693T07.



## Attachment 1 to Review of Application 7800203.20A: Silgan Containers

### Summary of Comments on Initial Draft of Permit 08693T07

- Evangelyn Lowery-Jacobs and Greg Reeves, by email on June 22, 2020

1. The email pointed out typos throughout the draft permit and draft review.

*Response: I have corrected the indicated issues.*

2. Should the permit include a condition for 02D .1806 "Control and Prohibition of Odorous Emissions"?

*Response: After further discussion, I have added a condition for this rule to the permit.*

3. The permit should list the oxidizer temperatures during the most recent performance test and should require a new permit application to incorporate future performance test results.

*Response: According to the most recent test report, the minimum temperature setpoints for CD-001 and CD-011 were 1,400F and 1,500F, respectively. This information was already included in the equations, but I will add a specific condition for clarity and ease of updating in the future. I have also added the requirement to submit a permit application after a test.*

4. The application review's statements regarding the applicability of 02D .2100 And Section 112(r) of the Clean Air Act are confusing.

*Response: I have clarified the following in the application review: 1) This facility is not required to submit a Risk Management Plan, 2) 02D .2100 does not apply, and 3) other requirements of Section 112(r) (such as General Duty) may apply, but those are not part of 02D .2100.*

- Mark Cuilla, by email on June 24, 2020

1. The email pointed out typos throughout the draft permit and draft review.

*Response: I have corrected the indicated issues.*

2. The permit should not require the Permittee to attach testing results to the permit. Instead, the permit should require a new permit application to incorporate test results.

*Response: I have made this change.*

- Jonathan Kania, by email on June 24 and June 30, 2020

1. Does CAM apply to this facility?

*Response: No. See Section 6.g.2 of the application review for details.*

2. Why was the name changed on the draft permit?

*Response: The name on the draft permit reflects the name on Form A of the renewal application. On June 30, 2020, Silgan submitted a corrected Form A with the name "Silgan Containers".*

3. The 5005L coating isn't used any more. Not sure if you want to take it out or not, it doesn't hurt anything, but it is also not required.

*Response: Unless the applicant strongly prefers removing this from the permit, I'd prefer to leave it in the permit for now.*